

<b>FILED</b>
Date _____
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**Amendment No. 1 to SB0887**

**Cohen  
Signature of Sponsor**

**AMEND Senate Bill No. 887**

**House Bill No. 727\***

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 102, is amended by adding Sections 2 through 7 of this act as a new Part 3.

SECTION 2. This part shall be known and may be cited as the "Fire Department Recognition Act".

SECTION 3. As used in this part, unless the context otherwise requires, the term "fire department" means a department of a municipality, county, or political subdivision, or an organization, agency, or entity which offers its services, for or without pay, for the purpose of suppressing fires, performing rescue services, or for other emergency response purposes. Excluded from this definition are law enforcement agencies, emergency medical agencies licensed by the Tennessee emergency medical services board, and rescue squads that do not provide fire protection.

SECTION 4. To obtain recognition from the department of commerce and insurance, state fire marshal's office, a municipality, county, or political subdivision desiring to operate a fire department, or an organization, agency, or entity desiring to operate as a fire department shall file an application with the department of commerce and insurance, state fire marshal's office, and file a renewal application to continue so operating in accordance with the following:

(1) The application shall be made on a form prescribed by the state fire marshal and shall be accompanied by a processing fee not to exceed fifty dollars

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(\$50.00). The state fire marshal may require that the form be signed and notarized by the highest ranking official of the fire department.

(2) Once recognized, each fire department shall be classified as career, volunteer, or combination as determined by the Tennessee Fire Incident Reporting System (TFIRS).

(3) Upon being granted recognized status as a fire department, the state fire marshal shall issue a certificate of recognition to the fire department; such certificate shall be valid for a period of three (3) years from its date of issuance.

(5) Approximately six (6) months prior to the expiration of the three-year recognition period, the state fire marshal's office shall notify each fire department by certified mail of the expiration of its certificate of recognition. The fire department whose certificate is expiring shall be required to complete a recognition renewal form prescribed by the state fire marshal and submit a renewal fee not to exceed fifty dollars (\$50.00).

**SECTION 5.**

(a) The applicant must agree to participate in the Tennessee Fire Incident Reporting System (TFIRS) by completing and submitting fire incident reports to the state fire marshal's office on a quarterly basis. Full participation in TFIRS must begin within three (3) years of obtaining recognition as a fire department from the department of commerce and insurance, state fire marshal's office.

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(b) The municipality, county, political subdivision, organization, agency, or entity filing the application must be in compliance with § 68-102-108 by properly requesting designation as an assistant to the commissioner of commerce and insurance.

SECTION 6. Any person violating the provisions of this part shall be guilty of a Class C misdemeanor punishable by fine only.

SECTION 7. Tennessee Code Annotated, Section 68-102-108, is amended by deleting subsection (d) in its entirety.

SECTION 8. This act shall take effect July 1, 2003, the public welfare requiring it.